

United States District Court

for the

JUL 30 2018

Eastern District of Washington

SEAN F. MCAVOY, CLERK

DEPUTY
YAKIMA, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Daryl McCann

Case Number: 0980 2:05CR00168-LRS-3

Address of Offender:

Spokane, Washington 99205

Name of Sentencing Judicial Officer: The Honorable Lonny R. Sukko, Senior U.S. District Judge

Date of Original Sentence: June 13, 2006

Original Offense: Conspiracy to Possess with Intent to Distribute 50 Grams or More of Actual Methamphetamine, 21 U.S.C. §§ 846, 841(a) and (b)(1)(A)

Original Sentence: Prison - 120 months; Type of Supervision: Supervised Release
TSR - 120 months

Revocation Sentence: Prison - 6 months
(08/01/2017) TSR - 29 months and 1 day

Asst. U.S. Attorney: David Herzog Date Supervision Commenced: January 31, 2018

Defense Attorney: Federal Defenders Office Date Supervision Expires: July 1, 2020

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 07/10/2018.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

3 **Mandatory Condition # 1:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: On February 1, 2018, Mr. McCann was given a copy of his judgment and his conditions of supervision were explained to him. He reported he understood his conditions and that he needed to comply with them.

The following information was received from an investigation of introduction of narcotics to a correctional facility at Federal Correctional Institution (FCI) Sheridan, Oregon.

On February 28, 2018, inmate Cook spoke with Daryl McCann via telephone and arranged for drugs to be mailed to inmate Smith. On March 8, 2018, FCI Sheridan mail room staff located an envelope post marked on March 3, 2018, in Spokane, Washington, that contained four strips of Buprenorphine (Suboxone). Said substance is a controlled substance that is available by prescription only, and is commonly utilized to assist with individuals that are opiate dependant.

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On April 5, 2018, inmate Cook was interviewed, and admitted to setting up the introduction of suboxone to inmate Smith.

On May 9, 10, 12, 14, and 19, 2018, inmate Crocker corresponded with Daryl McCann via email. Said correspondence reflects Mr. McCann getting some hearts and butterflies to inmate Crocker. On May 15, 2018, FCI Sheridan mail room staff intercepted an envelope post marked May 10, 2018, from Spokane. Said envelope contained a note about hearts and butterflies, as well as three strips of Buprenorphine (Suboxone).

Providing an inmate of a prison a prohibited object, or attempts to do so, is a violation of 18 U.S.C. § 1791 (a)(1). In this case, it is punishable by a fine or a term of imprisonment of not more than 1 year or both, 18 U.S.C. § 1791 (b)(4).

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Standard Condition # 8: You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.

On February 1, 2018, Mr. McCann was given a copy of his judgment and his conditions of supervision were explained to him. He reported he understood his conditions and that he needed to comply with them.

Supporting Evidence: On February 28, and May 9, 10, 12, 14, and 19, 2018, Daryl McCann had contact with inmates at FCI Sheridan, Oregon. Daryl McCann did not have permission from the probation officer to have said contact.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 07/26/2018

s/Richard Law

Richard Law
U.S. Probation Officer

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THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other



Signature of Judicial Officer



Date